

## Message Text

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PAGE 01 PANAMA 00691 011705Z  
ACTION OES-07

INFO OCT-01 ARA-10 ISO-00 L-03 SNM-05 SSO-00 SS-15  
SP-02 INR-07 INRE-00 CIAE-00 /050 W  
-----117514 011707Z /43

O R 011620Z FEB 78  
FM AMEMBASSY PANAMA  
TO SECSTATE WASHDC IMMEDIATE 5503  
INFO COMDT COGARD WASHDC  
CCGDELEVEN LONG BEACH CA  
COMLANTAREA COGARD NEW YORK NY  
CCGDSEVEN MIAMI FL  
DEA WAYHDC  
COMCUSTOMS WASHDC  
THE WHITE HOUSE (SIT ROOM) WASHDC  
NMCC WASHDC  
INS WASHDC  
DEPT OF JUSTICE WASHDC  
DEPT OF TRANSPORTATION WASHDC

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E.O. 11652:N/A  
TAGS: SNAR, PN  
SUBJECT: LAW ENFORCEMENT - M/V PHGH (PANAMANIAN)

REF: A. COMDT COGARD WASHDC MSG DTG 311915Z JAN 78  
B. STATE 25764

1. PER HINSON-WAGNER TELECONH1/31/78, EMBASSY HAS VERIFIED  
THAT SUBJECT VESSEL IS OF PANAMANIAN REGISTRY. EMBASSY HAS  
FOLLOWING OBSERVATIONS, WITH PARTICULAR REFERENCE TO PARA 5  
REF A.

2. ALL ADDRESSEES ARE FAMILIAR WITH PROBLEMY WHICH HAVE  
ARISEN IN CONNECTION WITH PREVIOUS CASES OF DETENTION OF  
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PANAMANIAN-REGISTRY VESSELS BY USG AND SUBSEQUENT US REQUESTS  
THAT PANAMA REQUEST THEIR EXTRADITION. GOP POSITION  
ON SUBJECT WAY DISCUSSED BY FOREIGN MINISTRY DIRECTOR  
FOR US AFFAIRS GARAY WITH COUNTRY DIRECTOR HAAHR DURING  
LATTER'S RECENT VISIT.

3. THE GOP HAS REPEATEDLY SHOWN THAT IT HAS A GENUINE

WILL TO COOPERATE WITH QSG ON NARCOTICS ENFORCEMENT MATTERS. HOWEVER, REQUEST FOR PERMISSION TO BOARD A PANAMANIAN-FLAG VESSEL, PARTICULARLY SINCE DEPARTMENT HAS INSISTED IN PREVIOUS CASES THAT INFORMAL INDICATION BY LAW ENFORCEMENT AUTHORITIES HERE DOES NOT RPT NOT SUFFICE AND PERMISSION FROM FOREIGN MINISTRY MUST BE OBTAINED, HAS BECOME A TICKLISH ISSUE HERE.

4. RESPONSIBLE FOREIGN MINISTRY OFFICE DIRECTOR HAS INFORMED US THAT HE IS YSTRONGLY OPPOSED TO GRANTING SUCH PERMISSION IN VIEW OF PAST EXPERIENCES--IN MOST RECENT PREVIOUS CASE, WE WERE FORCED TO GO TO VICE-MINISTER TO CIRCUMVENT HIM. POSSIBILITY OF SUBSEQUENTLY ASKING GOP TO REQUEST EXTRADITION IS EVEN WORSE. WE HAVE MADE SUCH REQUESTS IN PAST, ONLY TO LATER HAVE TO INFORM GOP THAT INS HAD INADVERTENTLY DEPORTED CREW MEMBERS TO THEIR NATIVE COUNTRIES, RATHER TO PANAMA. MORE-OVER, PANAMANIAN AUTHORITIES ARGUE THAT TO FIRST ASK THEIR PERMISSION TO TAKE VESSEL, HEN MOVE IT TO A US PORT AND THEN ASK GOP TO FORMALLY EXTRADITE IT, IS ASKING PANAMA TO BEND ITS LAWS TWICE FOR ZERO TIMES FOR THE US. US INSISTENCE ON FORMAL EXTRADITION PUTS MATTER SQUARELY IN LAP OF FOREIGN MINISTRY OFFICIAL MOST OPPOSED TO SUCH AFFAIRS OF WHAT HE CALLS "ONE-WAY COOPERATION". FINALLY, HISTORIC INSISTENCE OF US AUTHORITIES THAT A REQUEST FOR EXTRADITION UNDER OUR LIMITED OFFICIAL USE

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1904 CONVENTION WITH PANAMA MUST BE ACCOMPANIED BY A FORMAL COURT INDICTMENT AND ORDER OF ARREST IS A DIFFICULT BARRIER IN A LEGAL SYSTEM WHERE SUCH DOCUMENTS ARE NORMALLY ONLY ISSUED AFTER COMPLETION OF PRELIMINARY INVESTIGATION BY DISTRICT ATTORNEYS-- AND PARTICULARLY SO WHEN ALL PARTIES WHOM DISTRICT ATTORNEYS MIGHT INTERROGATE, AND ALL EVIDENCE OF PROBABLE CAUSE TO BELIEVE A CRIME HAS BEEN COMMITTED, ARE IN HANDS OF USG, RATHER THAN GOP AUTHORITIES.

5. FOR THESE REASONS, OUR MOST OPTIMISTIC EXPECTATION IS THAT WE MAY HAVE TO GO TO A VERY HIGH LEVEL OF GOP TO OBTAIN PERMISSION TO BOARD SUBJECT VESSEL THIS TIME AND THAT THIS MIGHT TAKE SOME TIME ESPECIALLY IF WE INDICATED THAT WE WOULD BE ASKING GOP TO ASK US FOR EXTRADITION THEREAFTER.

6. FINALLY, IF HAVING REQUESTED EXTRADITION, WE WERE FORCED ONCE AGAIN TO CONFESS AN "INADVERTENT" DEPORTATION OF THE CREW BY INS TO A COUNTRY OTHER THAN PANAMA WHILE THE MATTER WAS IN PROGRESS, IT WOULD PROBABLY END OUR CHANCES OF EVERY TRYING TO ASK FOR SUCH COOPERATION AGAIN.

7. SUGGEST THAT DEPT AND OTHER INTERESTED AGENCIES  
TAKE THE FOREGOING INTO ACCOUNT IN DEVELOPING APPROP-  
RIATE INSTRUCTIONS FOR FURTHER EMBASSY ACTION VIS-A-VIS  
GOP ON THIS CASE.

JORDEN

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SHIP DETENTION, POLICIES, EXTRADITION, DRUG SEIZURES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 01 feb 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Number:** 1978PANAMA00691  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Office:** ACTION OES  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
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**Review Event:**  
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**Subject:** LAW ENFORCEMENT - M/V PHGH (PANAMANIAN)  
**TAGS:** SNAR, PN, US  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
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20 Mar 2014  
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